

1 Rabin J. Pournazarian (186735)
2 **PRICE LAW GROUP, APC**
3 15760 Ventura Blvd., Suite 1100
4 Encino, CA 91436
5 (818) 995-4540 Telephone
6 (818) 995-9277 Facsimile

7
8 Attorneys for Debtor
9 Ingeburg Bertha Bloodworth

10
11
12 **UNITED STATES BANKRUPTCY COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA- SAN JOSE DIVISION**

14 In re:

15
16 **INGEBURG BERTHA**
17 **BLOODWORTH,**
18 Debtor.

Case No: 09-53783

Chapter 7

Date: July 24, 2009

Time: 3:00 p.m.

Place: 280 South First Street
San Jose, CA 95113-3099

Crtrm: 3020

19 **MOTION FOR REDEMPTION UNDER 11 U.S.C. 722**

20 **TO THE HONORABLE ARTHUR S. WEISSBRODT, MARC DEL PIERO /CHAPTER 7**
21 **TRUSTEE, TOYOTA MOTOR CREDIT CORPORATION, AND ALL INTERESTED**
22 **PARTIES:**

23 **PLEASE TAKE NOTICE THAT** Ingeburg Bertha Bloodworth, ("Debtor") in the herein
24 action, by and through her Attorney of Record, Rabin J. Pournazarian, will move this Court pursuant
25 to 11 U.S.C. and Bankruptcy Rule 6008 for a Redemption Order on the following grounds:

26 1) The item to be redeemed is tangible personal property intended primarily for
27 personal, family or household use is more particularly described as follows:

28 Year: 2007

Make: Hyundai

Model: Elantra

VIN: KMH DU46D07U145335

//

1 2) The interest of the Debtor in such property is exempt or has been abandoned by the estate
2 and the debt (which is secured by said property to the extent of the allowed secured claim of
3 Creditor) is a dischargeable consumer debt. (See Exhibit "1".)

4 3) The allowed secured claim of said Creditor for purposes of redemption, the "redemption
5 Value," should be determined to be not more than \$9,075.00 as evidenced by the attached Manheim
6 Retail Report. Under 11 U.S.C. 506 the correct value at which to redeem a motor vehicle is the
7 "price a retail merchant would charge for property of that kind considering the age and condition" of
8 the motor vehicle as "of the date of the filing of the petition". The Manheim Retail Report is attached
9 hereto and incorporated as Exhibit "2".

10 4) Arrangements have been made by the Debtor to pay the said Creditor up to the aforesaid
11 amount in a lump sum should this motion be granted. Moreover, the Debtor has agreed to borrow
12 and disburse additional funds in the amount of \$650.00 for representing of the debtor in securing for
13 the benefit of the debtor an order granting the debtor the right to redeem under 11 U.S.C. 722 a
14 certain motor vehicle, such compensation being in addition to that previously disclosed and being for
15 services rendered beyond the scope of the legal services to have been rendered for such compensation
16 heretofore disclosed.

17 **WHEREFORE**, the Debtor requests the Court to order the said Creditor to accept from the
18 Debtor the lump sum payment of the redemption value and release their lien of record. In the event
19 the said Creditor objects to this motion, the Debtor requests the Court to determine the value of the
20 property at the time of the hearing on such objection.

21
22 Dated: June 22, 2009

PRICE LAW GROUP, APC

23
24 
25 Rabin J. Pournazerian
26
27
28

Exhibit “1”

In re Ingeburg Bertha BloodworthCase No. 09-53783

Debtor

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT - AMENDED

Debtor claims the exemptions to which debtor is entitled under:

(Check one box)

☐ 11 U.S.C. §522(b)(2)☒ 11 U.S.C. §522(b)(3)☐ Check if debtor claims a homestead exemption that exceeds \$136,875.

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Checking, Savings, or Other Financial Accounts, Certificates of Deposit			
Checking account Pacific Valley Bank	C.C.P. § 703.140(b)(5)	500.00	500.00
Household Goods and Furnishings			
Miscellaneous household furnishings, electronics, etc.	C.C.P. § 703.140(b)(3)	500.00	500.00
Wearing Apparel			
Personal clothing	C.C.P. § 703.140(b)(3)	300.00	300.00
Furs and Jewelry			
Misc. Jewelry	C.C.P. § 703.140(b)(4)	100.00	100.00
Interests in IRA, ERISA, Keogh, or Other Pension or Profit Sharing Plans			
IRA pension plan.	C.C.P. § 703.140(b)(10)(E)	600.00	600.00
Automobiles, Trucks, Trailers, and Other Vehicles			
2007 Hyundai Elantra	C.C.P. § 703.140(b)(2)	3,300.00	8,625.00
Encumbered	C.C.P. § 703.140(b)(5)	21,325.00	

EXHIBIT 1

Total:	26,625.00	10,625.00
--------	------------------	------------------

0 continuation sheets attached to Schedule of Property Claimed as Exempt

Exhibit “2”

Vehicle Identification

Search:		Select Region:	National
Year:	2007	Seasonal Adjustment:	No
Make:	HYUNDAI		
Model:	ELANTRA		
Style:	4D SEDAN		

Auction Averages

For Week Ending May 1						
	Above	Average	Below	Mar 2009	Nov 2008	May 2008
Sale Price	\$9,523	\$8,178	\$6,833	\$8,018	\$8,235	\$10,887
Mileage	16,980	33,960	50,940	33,690	29,935	27,409
Total Sold All		126		207	132	409

Average Auction Mileage 40500

Prices are based on more transactions than shown under 'Transactions', above.

May 6 - May 13 2009						
	Above	Average	Below	Jun 2009	May 2010	
Auction	\$8,800	\$7,900	\$7,025	\$7,575	\$3,500	
Est. Retail	\$10,000	\$9,075	\$8,125	\$8,700	\$4,300	

Copyright © 1996-2008 Manheim Auctions V 5.3.1

PRINT

CLOSE

EXHIBIT 2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

State of California)
) ss.
County of Los Angeles)

I am employed in the County of Los Angeles, State of California, I am over the age of 18 and not a party to the within action. My business address is 15760 Ventura Boulevard, Suite 1100, Encino, California 91436.

On June 22, 2009, I served the foregoing document described as **MOTION FOR REDEMPTION UNDER 11 U.S.C. §722** to the following individuals:

SEE SERVICE LIST ATTACHED

☒ (By Mail) I placed such envelope with postage thereon fully prepaid in the United States mail at Encino, California.

☐ (Electronic) Via electronic notice only to those indicated by an Asterisk (*)

Executed on June 22, 2009 at Encino, California.

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Dora Vazquez
Type or Print Name


Signature

SERVICE LIST

Ingeburg Bertha Bloodworth
575 Mc Allister Street
Prunedale, CA 93907

Marc Del Piero
Chapter 7 Trustee
Post Office Box 1127
Pebble Beach, CA 93953-1127

U.S. Trustee
Office of the U.S. Trustee
San Jose Division
280 South First Street, Room 268
San Jose, CA 95113-0002

Toyota Motor Credit Corporation
19001 South Western Avenue
Torrance, CA 90501

Agent for Service of Process- Toyota Motor Credit Corporation
CT Corporation System
818 West Seventh Street
Los Angeles, CA 90017